

Appl. No. # 10/643,053
Amdt. dated 8/19/2004
Reply to OA of 7/26/2004

Remarks/Arguments:

According to the 102(b) rejections to the Claims the applicant responds as follows:


It is not the intent of the applicant to claim the device of Bedortha.

In Bedortha's Deep Water Exercise Belt 5,000,710, the belt 18 fits through the belt loop slots 20 formed as belt loop slots as seen in all of the figures. The belt loop slots 20 are not shaped to receive a hand but are adapted to receive a belt. The examiner construes the belt loop slots as handles according to the applicant's drawings and description. To provide a clear distinction, the claims have been amended with the additional claim limitation that the handles are "shaped to receive a hand". Looking at the same drawings that the examiner refers to, and comparing them with applicant's drawings provides ample support for the additional claim limitation that would clearly distinguish the devices.

Although a child may arguably use Bedortha's exercise belt as a pool float, an adult would find the arms too short. The applicant's invention has handles shaped to receive a hand, whereas the Bedortha's Deep Water Exercise Belt does not have handles, but is designed for the opposite purpose to allow hands free usage. Thus, the Bedortha belt is held to the user by a belt strap and the Bambanian device requires a user to hold the handle ends.

Applicants respectfully requests that a timely Notice of Allowance be issued in this application. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,


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